



Z-09-05-003

**City of Greensboro Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: May 11, 2009

GENERAL INFORMATION

APPLICANT	Malachi House, Inc
HEARING TYPE	Rezoning
REQUEST	CD-GO-M (Conditional District-General Office-Moderate Intensity) to CD-GO-M (Conditional District-General Office-Moderate Intensity)
CONDITIONS	1. Uses: Limited to a group care facility, church, day care facility <u>and all uses in the GO-M zoning district listed under the business, professional and personal service category of the permitted use table (Table 30-4-5.1).</u> <i>*(Bold and underline denotes new conditions)*</i>
LOCATION	507 Balboa Street (West of Balboa Street and south of Huffine Mill Road)
PARCEL ID NUMBER (S)	00-04-0187-0-0464-S -015
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 147 notices were mailed to those property owners in the mailing area.
TRACT SIZE	8.83 Acres
TOPOGRAPHY	Generally flat
VEGETATION	Asphalt

SITE DATA

Existing Use	Group Care Facility	
	Adjacent Zoning	Adjacent Land Uses
N	LB (limited Business) and RS-5 (Residential-Single Family)	Youth Focus Group Care Facility and Single-Family homes
E	RS-9 (Residential-Single Family)	Single-Family homes
W	RS-9 (Residential-Single Family)	Abandoned church facility
S	RS-9 (Residential-Single Family)	Single-Family homes

Zoning History

Case #	Date	Request Summary
3173	08/19/2003	A request to rezone this property from RS-9 to CD-GO-M was approved by the City Council with the following conditions: <ol style="list-style-type: none"> 1. Uses: The use of the property shall be limited to a group care facility, church and day care facility.

ZONING DISTRICT STANDARDS**District Summary ***

Zoning District Designation:	Existing (GO-M)	Requested (GO-M)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less, and supporting service and retail uses.	Primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less, and supporting service and retail uses.

**These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

SPECIAL INFORMATION**Overlay District Ordinance/Historic Preservation****Environmental/Soils**

Water Supply	N/A, Site drains to Buffalo Creek
Watershed	
Floodplains	N/A
Streams	N/A
Other:	N/A

Airport Noise Cone

The subject property is not located in the Airport Noise Cone.

Landscaping Requirements

North	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
South	Type B Yard – avg. width 30'; 3 canopy trees per 100'; 5 understory trees per 100'; 25 shrubs per 100'
East	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
West	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'

Tree Preservation Requirements

Acreage	Requirements
8.83 Ac.	All trees 4" or greater DBH which are located within the required planting yards or within 15' of the side and rear property lines, whichever is greater

Transportation

Street Classification	Balboa Street – Local Street, Huffine Mill Road – Major Thoroughfare.
Site Access	Existing.
Traffic Counts:	None available.
Trip Generation:	N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There is sidewalk located on the north side of Huffine Mill Road. There are no planned sidewalk projects in the area.
Transit in Vicinity	Yes, route 10, E. Market Street.
Traffic Impact Study (TIS)	No, not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

IMPACT ANALYSIS**Land Use Compatibility**

The proposed **CD-GO-M** (Conditional District-General Office-Moderate-Intensity) zoning would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Low Residential**. The requested **CD-GO-M** (Conditional District-General Office-Moderate-Intensity) zoning district is not consistent with this GFLUM designation. However since no new or expanded buildings will result from this request, a map amendment is not required.

Connections 2025 Written Policies

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

- Including protection against incompatible commercial encroachments into residential neighborhoods

Economic Development Goal: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Connections 2025 Map Policies

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

It appears that there is a drainageway crossing on the northern edge of this site that is depicted on the City's "Drainageway and Open Space" map. When this site is subdivided, the Subdivision Ordinance will require the dedication of those areas to the City of Greensboro as drainageway and open space. The width of the dedication along that drainageway will depend on the size of the pipe it would take to cross said drainageway. If a crossing would require a 66-inch or greater pipe, the required dedication would include the land between the natural one-hundred-year flood contour lines as determined by the City. That area may be reduced in width by filling provided that a minimum average width of two hundred feet is maintained, a minimum width of one hundred feet is maintained at the narrowest point, no fill is placed within a designated floodway, and no slope greater than three to one is created. Article VII, Section 27-22 Stormwater management control requirements, and federal wetlands regulations will prohibit or restrict fill placement in certain locations. If the crossing would require a pipe smaller than 66-inches the minimum average width would be sixty feet.

CONFORMITY WITH OTHER PLANS

City Plans - N/A

Other Plans - N/A

Staff/Agency Comments

Water Resources

The City of Greensboro must adopt and implement the State minimum requirements for the Phase II NPDES post-construction requirements by June 1, 2009. New and revised ordinance language will be adopted to comply with the new regulations, if plan is not submitted before June 1, 2009 site must meet Phase II requirements.

Housing and Community Development

No additional comments.

Planning

The 8.83-acre subject property is located at the southwest corner of Balboa Street and Huffine Mill Road and is currently being used as a group care facility. The immediate neighborhood is well established with single-family homes and a few non-residential uses such as GTCC to the south, a church to the west and the Youth Focus group care facility to the north.

The applicant is making this request to be able to add rehabilitation and counseling services to its current operation. Although rehabilitation and counseling services is a permitted use in the existing CD-GO-M zoning district, the conditions on the existing zoning restricts the use of the site to only a group care facility, church and a day care facility. Modifying the condition will therefore allow the applicant to add the proposed rehabilitation and counseling services to the current operation in addition to other limited uses allowed on the permitted use table under business, professional, and personal services for GO-M districts.

Staff will however like to add that in order for the subject site to blend in harmoniously with the existing adjacent single-family houses and uses, the applicant should limit the height of any development on the site to 2 above-ground stories.

Staff has made a determination that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is compatible with the existing development and trend in the surrounding area.

STAFF RECOMMENDATION

PLANNING

Staff recommends **approval** of the requested **CD-GO-M** (Conditional District-General-Office-Moderate-Intensity) zoning district.